

FILED

MAR 17 2021

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

U.S. DISTRICT COURT-WVND
MARTINSBURG, WV 25401

UNITED STATES OF AMERICA,

v.

TIMOTHY MARK SIRK,

Defendant.

Criminal No. 3:21-CR- 16

Violation: 18 U.S.C. § 1343

INFORMATION

The United States Attorney charges that:

COUNT ONE

(Wire Fraud)

1. From on or about December 1, 2016 to on or about June 1, 2018, in Mineral County, in the Northern District of West Virginia, and elsewhere, the defendant, **TIMOTHY MARK SIRK**, devised and intended to devise a scheme to defraud Attorney Finance Corp. and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

2. As part of the scheme, **TIMOTHY MARK SIRK**, a court-appointed attorney in Mineral County, West Virginia and elsewhere, submitted at least thirty-three fraudulent pay vouchers to the Attorney Finance Corp. for his alleged public defender legal services.

3. It was further a part of the scheme that **TIMOTHY MARK SIRK** would forge the signature of the Circuit Court Judge when submitting fraudulent pay vouchers to Attorney Finance Corp.

4. The Attorney Finance Corp. would provide a monetary advance of the pay vouchers to **TIMOTHY MARK SIRK**.

5. Attorney Finance Corp. would send payments to **TIMOTHY MARK SIRK** via automated clearing house transfers to his bank accounts.

6. As a result of his scheme, **TIMOTHY MARK SIRK** fraudulently obtained at least \$26,152.68 from Attorney Finance Corp.

7. On or about March 21, 2017, in the Northern District of West Virginia and elsewhere, the defendant, **TIMOTHY MARK SIRK**, for the purpose of executing a scheme and artifice to defraud, knowingly transmitted and caused to be transmitted by means of wire communications in interstate commerce, an interstate wire fund transfer from the Attorney Finance Corp., a corporation headquartered in Huntington, West Virginia, to **TIMOTHY MARK SIRK's** bank account at M&T Bank, a financial institution headquartered in Buffalo, New York.

All in violation of Title 18, United States Code, Section 1343.



RANDOLPH J. BERNARD
Acting United States Attorney

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